

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**Crim. No. 5:15-CR-38-2
(Judge Stamp)**

BONNIE JEAN BUTLER,

Defendant.

REPORT AND RECOMMENDATION

On June 2, 2015, the Defendant was named in three counts of a nineteen count indictment alleging conspiracy, maintaining a drug-involved premises, and possession of material used in the manufacture of methamphetamine. On July 7, 2015, the Defendant filed a motion to suppress evidence seized from her residence. ECF No. 62. A hearing on the motion to suppress was scheduled for August 28, 2015; however, a plea hearing is scheduled to take place on August 27, 2015. ECF No. 80. Therefore, in consideration of the Defendant's plea, the undersigned recommends that the Defendant's motion to suppress, ECF No. 62, be **DENIED AS MOOT**. The hearing on the Defendant's motion to suppress scheduled for August 28, 2015, is **VACATED**.

Any party may, within fourteen (14) days of the filing of this report and recommendation, file with the Clerk of the Court written objections identifying the portions of the report and recommendation to which objection is made, and the basis for such objection. A copy of such objections should be submitted to the District Court Judge of record. Failure to timely file objections to the report and recommendation set forth above will result in waiver of the right to appeal from a judgment of this Court based upon such report and recommendation.

DATED: August 25, 2015

/s/ *James E. Seibert*

JAMES E. SEIBERT

UNITED STATES MAGISTRATE JUDGE